

## **REMARKS**

### **I Disposition of Claims**

Claims 1 and 7-12 are currently pending. Claims 2-6 are canceled. Claims 1, 7, and 8 are amended. Support for the amended claims can be found throughout the specification, for example in the original claims, particularly original Claims 2 and 6, and on page 13, line 17 to page 14, line 16. New claims 9-12 are submitted. Support for the new claims can be found on throughout the specification, for example in the original claims and on page 13, line 17 to page 14, line 16 in the specification. No new matter is added.

### **II Specification**

The Examiner has objected to the specification under 37 CFR 1.75(d) and MPEP 608.01(o) because the Applicant allegedly invokes means-plus-function language in Claim 1. Claim 1 has been amended to remove "means for" language. Therefore, no amendment to the specification is required.

### **III Novelty**

The Examiner has rejected Claims 1, 2, 3, 4 7 and 8 under 35 USC 102(b) as being anticipated by Polaschegg (US 4,966,579). In order to anticipate a claim, the reference must teach each element of the claim.

In the claimed invention, trailing ends of first and second press members fit in a concave portion formed in a surface of a cam member by rotation of the cam member, thereby the first and second press members release first and second tubes so that one of the syringe tubes is released after the other syringe tube is blocked. This feature of the invention prevents a liquid injected from one syringe into a patient from flowing back into the other syringe.

Polaschegg does not teach or suggest that "the open or close interlock mechanism has a cam member supported rotatably and having a concave portion in a surface thereof with which the first press member and the second press member engage" and that "the first and second press members release the blocking of the first and second syringe tubes by their trailing ends being fit in the concave so that one of the syringe tube is released after the other syringe tube is blocked" as recited in amended claim 1. Therefore, Polaschegg does not anticipate the claims and the rejection should be withdrawn.

#### IV Non-Obviousness

The Examiner has rejected Claim 3 under 35 USC 103(a) as being obvious over the teaching of Polaschegg in further view of Sugawara (JP 3292964). Furthermore, the Examiner has rejected Claims 4, 5 and 6 under 35 USC 103(a) as being obvious over the teaching of Polaschegg in further view of Lamadrid (US 4,397,642).

In order to establish a *prima facie* case of obviousness, the references in combination must teach or suggest each of the claim elements. As discussed above, Polaschegg does not teach all of the claim elements. Neither Sugawara nor Lamadrid teach how to modify the teaching of Polaschegg to address the deficiencies described above. Therefore, a *prima facie* case of obviousness has not been established and the rejection should be withdrawn.

#### CONCLUSION

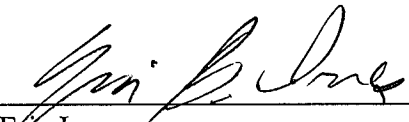
In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of all outstanding rejections are respectfully requested. Allowance of the claims at an early date is solicited. If any points remain that can be resolved by telephone, the Examiner is invited to contact the undersigned at the below-given telephone number.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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AMEND

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